

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TRACY SMITH,

Plaintiff,

Case No. 16-13700

Honorable Victoria A. Roberts

v.

CORPORATION FOR NATIONAL AND  
COMMUNITY SERVICE,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [Doc. 22];**  
**GRANTING DEFENDANT'S MOTION TO DISMISS [Doc. 2];**  
**AND DISMISSING THIS CASE WITH PREJUDICE**

Tracy Smith ("Smith") filed suit against Corporation for National and Community Service ("CNCS"). She alleges discrimination and wrongful termination from the AmeriCorps Volunteer in Service to America program administered by CNCS. CNCS filed a motion to dismiss. The Court referred that motion to Magistrate Judge Anthony P. Patti.

On June 14, 2017, Magistrate Judge Patti issued a Report and Recommendation [Doc. 21] recommending that the Court GRANT Defendant's Motion to Dismiss. [Doc. 2]

Smith filed timely objections to the R & R [Doc. 22], which are now before the Court. The Court **ADOPTS** the Report and Recommendation, which is well-written, well-reasoned and well-supported by the cited authorities.

When a party properly objects to a magistrate judge's report and recommendation, the Court must conduct a *de novo* review of those portions pursuant to Federal Rule of Civil Procedure 72(b). *Bellmore-Byrne v. Comm'r of Soc. Sec.*, 2016

WL 5219541, at \*1 (E.D. Mich. Sept. 22, 2016). Only specific objections are entitled to a *de novo* review. *Mira v. Smithall*, 806 F.2d 636, 637 (6th Cir. 1986). A non-specific objection “that does nothing more than disagree with a magistrate judge’s determination, ‘without explaining the source of the error,’ is not considered a valid objection.” *Bellmore-Byrn*, 2016 WL 5219541, at \*1 (quoting *Howard v. Sec’y of Health and Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991)).

In Smith’s objections, she argues that: (1) Magistrate Judge Patti plotted to find in favor of the CNCS because it is a government agency; (2) she has evidence to prove her claims; and, (3) she has email and phone records to prove she contacted CNCS about the alleged discrimination. Smith does nothing more than disagree with Magistrate Judge Patti’s determination. She does not point to any particular portions of the record that she objects to or specify why the Magistrate Judge’s findings were wrong. *See Bellmore-Byrn*, 2016 WL 5219541, at \*1.

After a *de novo* review of the motion and related filings, the Court finds that the R & R is well-reasoned and that Magistrate Judge Patti’s recommendation to grant the motion to dismiss is sound.

The Court **ADOPTS** the R & R [Doc. 21], **GRANTS** Defendant’s motion to dismiss [Doc. 2], and **DISMISSES** this action **WITH PREJUDICE**.

**IT IS ORDERED.**

S/Victoria A. Roberts

United States District Judge

Dated: August 11, 2017